

2016 Regular Session

SENATE CONCURRENT RESOLUTION NO. 47

BY SENATOR COLOMB

PUBLIC BUILDINGS/GROUNDS. Establishes and provides for the State Capitol Accessibility Advisory Commission.

1 A CONCURRENT RESOLUTION

2 To create the State Capitol Accessibility Advisory Commission to study and make  
3 recommendations to the legislature for a strategic outlook to make sure the  
4 Americans with Disabilities Act of 1990, is sufficiently implemented with respect  
5 to the state capitol building and surrounding infrastructure.

6 WHEREAS, the United States government enacted into law the Americans with  
7 Disabilities Act of 1990, which law is intended to protect the civil rights of citizens with  
8 disabilities; and

9 WHEREAS, Title II of the Act provides specifically for the accessibility of public  
10 entities, including state governments, and requires that "no individual shall be excluded from  
11 participation in or be denied the benefits of the services, programs, or activities of a public  
12 entity"; and

13 WHEREAS, one of the most essential governmental activities in which all citizens  
14 have the right to participate is the lawmaking process itself, such right being the sine qua non  
15 of the theory and practice of democracy; and

16 WHEREAS, access to and effective communication with legislators is a prerequisite  
17 of full participation by any citizen; and

18 WHEREAS, effective communication requires that the documents and the debate of

1 the legislative process be comprehensible to the citizen; and

2 WHEREAS, the state capitol building in Baton Rouge is the primary location of the  
3 state government of Louisiana, and in order for a citizen of Louisiana to have access to the  
4 lawmaking activities of the state, he must have access to the various areas within the  
5 building where this process takes place and to the state capitol grounds; and

6 WHEREAS, since the implementation of the Americans with Disabilities Act, safety  
7 concerns and technology enhancements have altered the way the public can effectively  
8 communicate with legislators and fully participate in the legislative process; and

9 WHEREAS, the accessibility of any citizen to the state capitol is of particular  
10 concern and requires a strategic outlook to make sure the Americans with Disabilities Act  
11 of 1990 is sufficiently implemented.

12 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
13 create the State Capitol Accessibility Advisory Commission to study and make  
14 recommendations to the legislature for a strategic outlook to make sure the Americans with  
15 Disabilities Act of 1990 is sufficiently implemented with respect to the state capitol building  
16 and surrounding infrastructure.

17 BE IT FURTHER RESOLVED that the State Capitol Accessibility Advisory  
18 Commission shall consist of thirteen commissioners, who shall serve without compensation,  
19 and who shall be composed of the following persons or their designees:

20 (1) The chair of the Senate Committee on Senate and Governmental Affairs or her  
21 designee.

22 (2) The chairman of the House Committee on House and Governmental Affairs or  
23 his designee.

24 (3) The chairman of the Senate Select Committee on Homeland Security.

25 (4) The chairman of the House Select Committee on Homeland Security.

26 (5) One member of the Senate appointed by the president of the Senate.

27 (6) One member of the House of Representatives appointed by the speaker of the  
28 House.

29 (7) One member consisting of a representative of the state fire marshal's ADA  
30 Enforcement Personnel as designated by the state fire marshal.

1 (8) One member consisting of the chair of the Development Disabilities Council or  
2 his designee.

3 (9) The chair of the Advocacy Center or his designee.

4 (10) The chair of the Louisiana Assistive Technology Access Network or his  
5 designee.

6 (11) The chair of the Statewide Independent Living Council or his designee.

7 (12) One member of the Louisiana Commission for the Deaf.

8 (13) One member of the Louisiana Council of the Blind.

9 BE IT FURTHER RESOLVED that the names of the persons who are designated or  
10 appointed to serve on the commission shall be submitted to the chair of the Senate  
11 Committee on Senate and Governmental Affairs by August 1, 2016.

12 BE IT FURTHER RESOLVED that the members shall convene no later than  
13 September 1, 2016, and the responsibilities of the commission shall include but not be  
14 limited to the development, in conjunction with any individuals and groups who are  
15 responsible for implementation of the ADA, of a system that ensures the Americans with  
16 Disabilities Act of 1990 is sufficiently implemented at the state capitol.

17 BE IT FURTHER RESOLVED that the commission shall present a report to the  
18 legislature concerning progress made in keeping with the mandatory language of the ADA  
19 by March 1, 2017.

---

The original instrument was prepared by Michael Bell. The following digest,  
which does not constitute a part of the legislative instrument, was prepared  
by J. Ashley Mitchell Carter.

---

DIGEST

SCR 47 Engrossed                      2016 Regular Session                      Colomb

Creates the State Capitol Accessibility Advisory Commission to study and make recommendations to the legislature for a strategic outlook to make sure the American with Disabilities Act of 1990, is sufficiently implemented with respect to the state capitol building and surrounding infrastructure and submit a report to the legislature by March 1, 2017.

Provides that the commission consist of 13 commissioners, who shall serve without compensation, and who shall be composed of the following persons or their designees:

- (1) The chair of the Senate Committee on Senate and Governmental Affairs or her designee.
- (2) The chairman of the House Committee on House and Governmental Affairs or his designee.

- (3) The chairman of the Senate Select Committee on Homeland Security.
- (4) The chairman of the House Select Committee on Homeland Security.
- (5) One member of the Senate appointed by the president of the Senate.
- (6) One member of the House of Representatives appointed by the speaker of the House.
- (7) One member consisting of a representative of the state fire marshal's ADA Enforcement Personnel designated by the state fire marshal.
- (8) One member consisting of the chair of the Development Disabilities Council or his designee.
- (9) The chair of the Advocacy Center or his designee.
- (10) The chair of the Louisiana Assistive Technology Access Network or his designee.
- (11) The chair of the Statewide Independent Living Council or his designee.
- (12) One member from the Louisiana Commission for the Deaf.
- (13) One member from the Louisiana Council of the Blind.

Requires that the commission convene no later than September 1, 2016 and that a report be presented to the legislature by March 1, 2017.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill

1. Adds two members to the State Capitol Accessibility Advisory Commission:
  - A. One member from the Louisiana Commission for the Deaf.
  - B. One member from the Louisiana Council of the Blind.